

GAU 1623

TRANSMITTAL LETTER		DOCKET NUMBER: P-SR 4301	
SERIAL NO: 09/557, 796	FILING DATE: April 25, 2000	EXAMINER: Unknown	GROUP ART UNIT: 1623
INVENTION: METABOLIC SELECTION METHODS			

TO COMMISSIONER FOR PATENTS



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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C., 20231 on August 30, 2000.

By: Melanie K. Webster  
Melanie K. Webster, Reg. No.: 45,201

August 30, 2000  
Date of Signature

Transmitted herewith is the following:

1. REVOCATION OF POWER OF ATTORNEY AND POWER OF ATTORNEY AND CHANGE OF MAILING ADDRESS.
2. STATEMENT UNDER 37 C.F.R. § 3.73(b), including a copy of the executed Assignment.

Please charge my Deposit Account No. 03-0370 the amount of \$       . A duplicate copy of this sheet is enclosed.

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 03-0370. A duplicate copy of this sheet is enclosed.

The Commissioner is hereby authorized to charge to Deposit Account No. 03-0370 any fees under 37 CFR 1.17 which may be required under 37 CFR 1.136(a)(3) for an extension of time in any concurrent or future reply requiring a petition for extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Melanie K. Webster

Registration No.: 45,201

CAMPBELL &amp; FLORES LLP

4370 La Jolla Village Drive

7<sup>th</sup> Floor

San Diego, California 92122

858-535-9001

USPTO CUSTOMER NO. 23601



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REVOCATION OF POWER OF ATTORNEY AND  
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P-SR 4301  
Serial No.: 09/557,796

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By Melanie K. Webster  
Melanie K. Webster/Reg. No.:45,201

August 30, 2000  
Date of Signature



PATENT  
Our Docket: P-SR 4301

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: )  
Hoch and Dartois )  
Serial No.: 09/557,796 ) Examiner: Unknown  
Filed: April 25, 2000 ) Group Art Unit: 1623  
For: METABOLIC SELECTION )  
METHODS )

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Commissioner for Patents  
Washington, D.C. 20231

114  
M.J.C.  
9/22/01

REVOCATION OF POWER OF ATTORNEY  
AND

POWER OF ATTORNEY AND CHANGE OF MAILING ADDRESS

Sir:

MicroGenomics, Inc., the assignee of record of the entire right, title and interest in the above-identified application, hereby revokes all previous Powers of Attorney and appoints Cathryn Campbell, Registration No. 31,815, David A. Gay, Registration No. 39,200, Calvin A. Fan, Registration No. 38,444, Robert T. Ramos, Registration No. 37,915, Andrea L. Gashler, Registration No. 41,029, James J. Wong, Registration No. 34,949, Deborah L. Cadena, Registration No. 44,048, and Melanie K. Webster, Registration No. 45,201, whose mailing address is Campbell & Flores LLP, 4370 La Jolla Village Drive, Suite 700, San Diego, California 92122, as its attorneys to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

Inventors: Hoch and Dartois  
Serial No.: 09/557,796  
Filing Date: April 25, 2000  
Page 2

Please direct all telephone calls regarding this application to Cathryn Campbell at (858) 535-9001 and send all correspondence to:

Cathryn Campbell  
CAMPBELL & FLORES LLP  
4370 La Jolla Village Drive  
7<sup>th</sup> Floor  
San Diego, California 92122  
Telephone: (858) 535-9001  
Facsimile: (858) 535-8949  
**USPTO CUSTOMER NO. 23601**

Respectfully submitted,  
MicroGenomics, Inc.

Date: 8/23/02

Signature: 

Name: Daniel Tripodi, Ph.D.  
Title: President



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STATEMENT UNDER 37 C.F.R. § 3.73(b)  
P-SR 4301  
Serial No.: 09/557,796

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By Melanie K. Webster  
Melanie K. Webster/Reg. No.:45,201

August 30, 2000  
Date of Signature



STATEMENT UNDER 37 C.F.R. § 3.73(b)

Title of Application: METABOLIC SELECTION METHODS

Application Ser. No.: 09/557,796

Filed: April 25, 2000

Inventor(s): Hoch and Dartois

Attorney Docket No.: P-SR 4301

MicroGenomics, Inc., a corporation, states that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the application. A copy of the executed assignment, submitted for recording, is attached hereto as documentary evidence of the chain of title to the assignee. The assignment was recorded in the U.S. Patent and Trademark Office at reel 010297, frame 0016.

The undersigned is empowered to sign this statement on behalf of the assignee.

Date: 8/25/02

Signature: 

Name: Daniel Tripodi, Ph.D.  
Title: President

JANUARY 05, 2000



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

LYON & LYON LLP  
RICHARD J. WARBURG  
633 WEST FIFTH STREET, SUITE 4700  
LOS ANGELES, CA 90071-2066



\*101171360A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
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THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/07/1999

REEL/FRAME: 010297/0016  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
HOCH, JAMES

DOC DATE: 10/06/1999

ASSIGNOR:  
DARDOIS, VERONIQUE

DOC DATE: 10/06/1999

ASSIGNEE:  
MICROGENOMICS, INC.  
11211 SORRENTO VALLEY ROAD  
SAN DIEGO, CALIFORNIA 92121

SERIAL NUMBER: 09172952  
PATENT NUMBER:

FILING DATE: 10/14/1998  
ISSUE DATE:

JOANN STEWART, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

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10-14-1999

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Docket No. 234/191

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101171360

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

JAMES HOCH  
VERONIQUE DARTOIS

Additional name(s) of conveying party(ies) attached?

 Yes  No

3. Nature of conveyance:

 Assignment

Execution Date: 6 October 1999

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No(s). 09/172,952

B. Patent No(s).:

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Richard J. WarburgInternal Address: LYON & LYON LLP  
633 West Fifth Street, Suite 4700  
Los Angeles, CA 90071-20666. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00

 Enclosed Charge this Deposit Account if any additional fee is required8. Deposit Account Number: 12-2475

## DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Wesley B. Ames, Reg No. 40,893

Date: 7 October 1999Total number of pages including cover sheet: 4

OMB No. 0651-0011 (exp. 4/94)

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Commissioner of Patents and Trademarks

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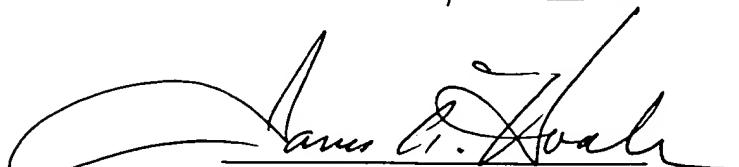
Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project, (0651-0011), Washington, D.C. 20503

ASSIGNMENT

For valuable consideration, we, JAMES HOCH, of San Diego, California and a citizen of USA and VERONIQUE DAROIS, of San Diego, California and a citizen of BELGIUM (hereinafter referred to as "ASSIGNORS"), hereby assign to MICROGENOMICS, INC. a corporation organized and existing under and by virtue of the laws of the State of New Jersey and having its principal place of business at 11211 Sorrento Valley Road, San Diego, California 92121 (hereinafter referred to as "ASSIGNEE"), the entire right, title and interest throughout the world in the invention and improvements which are the subject of an application for United States Patent filed October 14, 1998, U.S. Serial No. 09/172,952, and related applications and patents, entitled METABOLIC SELECTION METHODS, this assignment including said application, any and all United States and foreign patents granted for any of said inventions or improvements, including all divisions, continuations, reissues, continuations-in-part and extensions thereof, and the right to claim priority based on the filing date of said application and based on the filing date of any provisional application of which said application claims the benefit under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes; and we authorize the Assignee to apply in all countries in our names or in its own name for patents and like rights of exclusion and for inventor's certificates for said inventions and improvements; and we agree for ourselves and our heirs, legal representatives and assigns, without further compensation, upon request to perform such lawful acts, to promptly provide Assignee with all pertinent facts and documents relating to said invention or application as may be known and accessible to us, to testify in any interference or litigation related to said invention or application and to sign such further applications, assignments, Preliminary Statements and other lawful documents as the Assignee may reasonably request to effectuate fully this Assignment.

The Assignors hereby covenant that no assignment, sale, agreement, or encumbrance has been or will be made or entered into which would conflict with this Agreement.

IN WITNESS WHEREOF, I hereto set my hand and seal at La Jolla, CA, this  
6<sup>th</sup> day of October, 1999.

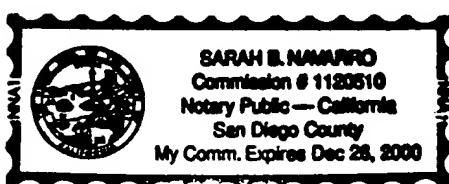
  
James Hoch

STATE OF CALIFORNIA )  
 ) ss  
COUNTY OF SAN DIEGO )

On Oct. 6, 1999 before me, Sarah B. Navarro,  
personally appeared James Hoch,

personally known to me -- OR -- proved to me on the basis of satisfactory evidence  
to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged  
to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by  
his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the  
person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Sarah B. Navarro  
Notary Public in and for said County and State

IN WITNESS WHEREOF, I hereto set my hand and seal at La Jolla, CA, this  
6<sup>th</sup> day of October, 1999.

V. Dartois

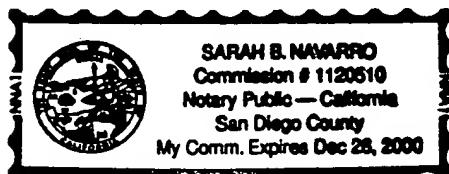
Veronique Dartois

STATE OF CALIFORNIA )  
COUNTY OF SAN DIEGO ) ss

On Oct. 6, 1999 before me, Sarah B. Navarro,  
personally appeared Veronique Dartois,

personally known to me -- OR --  proved to me on the basis of satisfactory evidence  
to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged  
to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by  
his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the  
person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Sarah B. Navarro

Notary Public in and for said County and State